

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

HAROLD BRYAN WILSON,

Plaintiff,

vs.

JASON GEERDES, in their Official
Capacity; SCOTT FRAKES, Director, in
their Official Capacity; TAGGART BOYD,
Warden, in their Official Capacity; and
MICHELE CAPPS, in her official capacity
as Warden of the Nebraska State
Penitentiary;

Defendants.

8:16CV524

ORDER

The factual and legal issues in this case are potentially complex. In particular, upon review of the Defendants' submissions on their renewed motion for summary judgment, the court finds the plaintiff is entitled to the assistance of counsel.

Accordingly,

IT IS ORDERED:

1) Plaintiff's motion for appointment of counsel, Filing No. 158), is granted as follows:

a. Pursuant to the Amended Plan for the Administration of the Federal Practice Fund and the Federal Practice Committee, ¶ II.A.1.a, and the inherent authority of this Court,

Elizabeth A. Govaerts
POWERS LAW FIRM
411 South 13th Street
Suite 300
Lincoln, NE 68508

is herewith appointed as counsel for Mr. Wilson. The court thanks Ms.

Govaerts for accepting this appointment.

b. Ms. Govaerts shall be paid a total of \$2,000 in fees plus Ms. Govaerts sum at this time with the balance of the fees and any expenses to be paid at the conclusion of the case. The court reserves the right to tax the fees and expenses of Ms. Govaerts as sanctions or costs against one or both parties.

c. Ms. Govaerts shall promptly enter her appearance.

d. The deadline for responding to Defendants' motion for summary judgment is stayed pending further order of the court.

2. As to Plaintiff's motion, (Filing No. 152), Ms. Govaerts shall confer with Plaintiff's former counsel, Michael Gooch, regarding receiving copies of Plaintiff's discovery gathered prior to Mr. Gooch's withdrawal. In all other respects, that motion is denied.

3. The clerk shall email a copy of this order to Mr. Gooch and Ms. Govaerts, and the clerk shall mail a copy to Mr. Wilson.

4. The undersigned magistrate judge will regenerate the NEFs to Ms. Govaerts after the close of business today so that the magnitude of emails received does not interrupt the business of her law firm during normal working hours.

5. A telephonic conference with the undersigned magistrate judge will be held on October 2, 2019 at 4:00 p.m. to discuss further case progression. Counsel shall use the conferencing instructions which will be filed after this order is entered to participate in the call.

Dated this 11th day of September, 2019.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge